



HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.
1245 FARMINGTON AVENUE, 2nd Floor, WEST HARTFORD, CT 06107
Tel: 860-521-1905 Fax: 860-521-3107 Web: www.hbact.org

*Your Home
Is Our
Business*

March 12, 2008

To: Senator Mary Ann Handley, Co-Chairman
Representative Peggy Sayers, Co-Chairman
Members of the Public Health Committee

From: Bill Ethier, Executive Vice President & General Counsel

Re: **Raised Bill 5900, AAC Watershed Lands**

The HBACT is a professional trade association with over one thousand five hundred (1,500+) member firms statewide employing tens of thousands of Connecticut's citizens. Our members are residential and commercial builders, land developers, remodelers, subcontractors, suppliers and those businesses and professionals providing services to this diverse industry. We also created and administer the CT Developers Council, a professional forum for the land development industry in the state.

The HBA of Connecticut opposes RB 5900. This bill turns the local land use approval process on its head and would significantly impede housing and other economic development with little if any environmental or public health benefit.

Water company watershed lands and aquifer protection areas cover large amounts of the state. In some towns, such as Bethany, up to 65% of the town includes these lands. Easton and Redding have 80% of their towns in these areas. When properly reviewed, permitted and conditioned by local land use and inland wetland and watercourse commissions, development of these areas is done in harmony with protecting the state's water resources. DPH's blanket recommendation that two acre zoning is appropriate for these areas is not based on science. Other state permitting processes under current law, such as stormwater permits from DEP and traffic impact certifications from STC, already add significant delay to the approval process. **The last thing our housing and economic development crisis needs is another state agency hurdle to overcome.**

RB 5900 essentially takes land use authority away from municipalities and vests it with the Department of Public Health by providing that the Commissioner must approve any development on these lands. The legislature has expended tremendous energy over many years to craft a timeline for decision making at the local level for all land use applications (see section 8-7d of the general statutes). But RB 5900, ignoring this timeline, prevents local planning and zoning from acting on an application in watershed and aquifer protection areas unless the DPH first provides a written certification of approval of the application. **This additional state level approval will add significant delays and expense to the process.** Current law that provides for notification to DPH of any proposed development and comment by the agency to local land use boards should be maintained.

We strongly urge you to not pass this legislation. It is not necessary to protect our water resources and it will add significant uncertainty and delay in building critically necessary housing in CT. Thank you for the opportunity to comment on this legislation.